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rec'd 11/13/02 (sb)

COOPERATIVE AGREEMENT

THIS COOPERATIVE AGREEMENT, dated this 12 day of November, 2002, is by and between **China Hut**, and the **ANC 4A**, and **Thomas Black**, (referred to collectively as the "Community" and sometimes as "Protestants")

1. China Hut agrees with the Community to refrain from the sale of a single twelve (12) ounce container of alcoholic beverage. Also, China Hut has agreed to require a purchase of four (\$4) dollar food sales with the purchase of a single 22 ounce container of alcoholic beverage.

2. The China Hut shall not knowingly sell alcoholic beverages to any intoxicated person, or to any person of intemperate habits, or to any person who appears to be intoxicated, and shall cooperate with the Metropolitan Police, health, and social service agencies to identify such persons. The applicant shall not sell alcoholic beverages to any person(s) under the age of 21 and will prominently display the fact that such sales are prohibited and that patrons are subject to being asked to produce valid proof of age. These specific sale restrictions shall be posted on signs in the establishment.

3. China Hut and the Community agree that loitering in and around China Hut is a significant problem and that the peace, order, and quiet of the neighborhood will continue to be unreasonably affected if it is not controlled, China Hut agrees to take reasonable measures to discourage loitering within, front and in the rear of its establishment. China Hut shall post clearly visible "NO LOITERING" signs (lettering no less than five inches) on the interior and the exterior's front, side, and rear. China Hut will keep a log of calls made to the Metropolitan Police Department. Said log shall be made available to ANC 4A 02 within a reasonable time after a request for the log is made.

L.B.
J.B.
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4. China Hut shall take all reasonable measures to assure that the immediate environs of the establishment are kept free of ~~litter~~ and debris. "Immediate environs" is defined in D.C.M.R. 720.2 as including: "all property on which the premises are located; all property used by the licensee to conduct its business, whether part of the premises or not, including parking lots and portion of alleys, sidewalks, or other public property immediately adjacent to the premises or adjacent to the property used by the licensee to conduct its business." Applicant shall clean the sidewalk in front of its premises up to and including 18 inches from the curb and from the alley behind he premises by ~~and~~ at least 10:30am and periodically during the hours of operation and once again within one hour before closing.

L.B.
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5. China Hut shall not install signs/posters on the front window (except those that are required by the government) so as to obstruct visibility into the establishment and China Hut shall remove non-required signs and posters from the plexiglass, which will greatly improve the appearance of the establishment. China Hut will continue to keep its property clean. In fact, China Hut shall generally maintain the

property in reasonable condition. Upon knowledge of any graffiti on the exterior walls, China Hut shall remove said graffiti expeditiously.

6. China Hut shall comply with all laws and regulations governing the operation of the establishment, including all laws and regulations governing the Class B license, especially hours of sale of alcoholic beverages, to which this agreement applies. Any violation of ABC laws and regulations shall constitute cause for seeking a Show Cause Order. Moreover, China Hut agrees that they shall respond within seven (7) business days to any written communications from the "Community" or "Protestants" related to the terms of this agreement. The community agrees to provide phone numbers and addresses to China Hut at the signing of this agreement.

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72 7. China Hut shall reasonably cooperate with the Protestants in efforts to alleviate alcohol abuse problems, ^{and} loitering by, among other things, participating in community meetings and programs as the circumstances may warrant. Applicant shall reasonably cooperate with Protestant to improve the overall environment in and immediately around the establishment to make it a more attractive, pleasant, and safe area for residents, customers and businesses.

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72 8. China Hut shall install high intensity lighting on the side and in the rear of ^{its} the building. The lights will remain on from dusk to dawn.

9. China Hut shall comply with the improvements set out in this agreement by January 15, 2003.

Jourdinia S. Brown, ANC
Jourdinia S. Brown (ANC 4A 02)

7600 Georgia Avenue, Suite 404
Washington, D.C. 20012
(202) 291-9341

Wen Zhang
China Hut (Representative)

Thomas Black
Thomas Black

7600 Georgia Ave. Suite # 404
Washington, D.C. 20012
(202) 291-4791

**BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:

Yue Ming Zhang
t/a China Hut

Application for a Retailer's Class
B (renewal)
at premises
7708 Georgia Avenue, N.W.
Washington, D.C.

Case no. 8971-02/066P
2002-270

Jourdinia S. Brown, Single Member District Commissioner 4A02, Advisory Neighborhood Commission 4A, and Thomas Black, on behalf of the Upper Georgia Avenue Coalition on Public Safety, on behalf of the Protestants

David Alexander, Esquire, on behalf of the Applicant

BEFORE: Roderic L. Woodson, Esquire, Chair
Vera Abbott, Member
Charles Burger, Member
Laurie Collins, Member
Judy Moy, Member
Ellen Oppen-Weiner, Esquire, Member
Audrey Thompson, Member

**ORDER ON WITHDRAWN OPPOSITION
AND VOLUNTARY AGREEMENT**

The application, having been protested, came before the Board on May 8, 2002 in accordance with the D.C. Official Code Section 601 (2000 Edition). Numerous protests were filed, however, by written authorization, the protestants designated Jourdinia S. Brown, Single Member District Commissioner 4A02, Advisory Neighborhood Commission 4A, and Thomas Black, on behalf of the Upper Georgia Avenue Coalition on Public Safety, to represent them in this matter.

The official records of the Board reflect that the parties have reached an agreement that has been reduced to writing and has been properly executed and filed with the Board. Pursuant to the agreement, dated November 12, 2002, the protestants have agreed to withdraw the opposition, provided, however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of

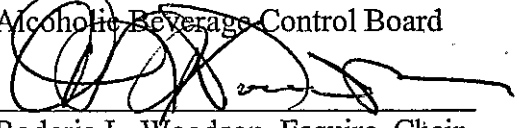
Yue Ming Zhang
t/a China Hut
Page two

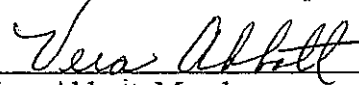
the agreement.

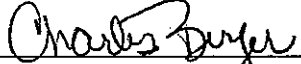
Accordingly, it is this 4th December day of November 2002, **ORDERED** that:

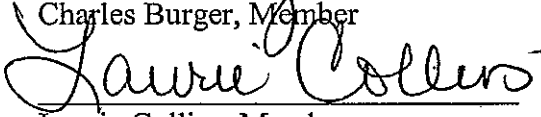
1. The opposition of Jourdinia S. Brown, Single Member District Commissioner 4A02, Advisory Neighborhood Commission 4A, and Thomas Black, on behalf of the Upper Georgia Avenue Coalition on Public Safety, is **WITHDRAWN**;
2. The application of Yue Ming Zhang t/a China Hut for a retailer's class B license (renewal) located at 7708 Georgia Avenue, N.W., Washington, D.C. is **GRANTED**;
3. The above-referenced agreement between the parties is **INCORPORATED** as part of this Order; and
4. Copies of this Order shall be sent to the Protestants and the Attorney for the Applicant.

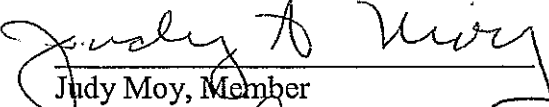
District of Columbia
Alcoholic Beverage Control Board

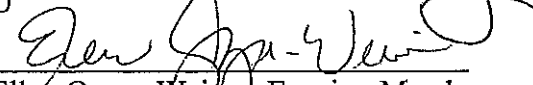

Roderic L. Woodson, Esquire, Chair

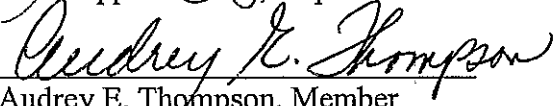

Vera Abbott, Member


Charles Burger, Member


Laurie Collins, Member


Judy Moy, Member


Ellen Oppen-Weiner, Esquire, Member


Audrey E. Thompson, Member